

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

STEVEN E. BARRON, an individual; MARC  
W. HILLESTAD and CHRISTINE L.  
HILLESTAD, husband and wife; FRANK E.  
SCHOEN, an individual; and RAYMOND  
OWENS and TAMMY OWENS, husband and  
wife,

Plaintiffs,

v.

AMERICAN FAMILY MUTUAL  
INSURANCE COMPANY,

Defendant.

No. 3:16-cv-05576-BHS

JOINT MOTION TO STAY OR  
CONTINUE DISCOVERY DEADLINES

NOTED ON MOTION CALENDAR:  
JUNE 1, 2017

Pursuant to LCR 7(d)(2)(A), the parties jointly seek an order staying or continuing the  
existing deadline for completion of class discovery.

**I. PROCEDURAL HISTORY**

The Court has established July 31, 2017, as the deadline for completing class discovery.  
Dkt. 58.

**Pending Discovery.** Plaintiffs have noted a Rule 30(b)(6) deposition and sought  
documents from defendant American Family. The parties did not agree on the scope of document  
production, which controls the nature and extent of the Rule 30(b)(6) deposition. The parties'

1 disagreements are subject to American Family's pending motion protective order filed January 5,  
2 2017. Dkt. 32.

3       **Summary Judgment Motions.** Separately, the parties filed cross-motions for summary  
4 judgment. On April 27, 2017, the Court entered its Order on the summary judgment motions,  
5 granting in part and denying in part the parties' cross-motions. Plaintiffs have filed a motion for  
6 permission to appeal this ruling, arguing that an early appeal would be the more efficient  
7 procedure in this case. Dkt. 62. Defendant filed its response May 30, 2017, arguing that an early  
8 appeal will delay resolution of the case. Dkt. 63.

10       **Impact on Discovery.** In the interests of efficiency, it makes sense that no discovery  
11 occur until both Plaintiff's motion for interlocutory appeal and Defendant's motion for protective  
12 order are decided by the Court.

## 14                               **II. REQUESTED RELIEF**

15       The parties do not believe it is practical to complete discovery by July 31, 2017, in light  
16 of the pending motions and therefore jointly move for an order that either stays discovery or  
17 extends the discovery completion deadline.

18       The parties seek to extend the deadline to complete class certification fact discovery until  
19 120 days following entry of the Court's orders on both American Family's motion for protective  
20 order, Dkt. 32, and Plaintiffs motion for interlocutory appeal, Dkt. 62. Once the deadline for  
21 class certification fact discovery is known, the parties will submit for the Court's approval an  
22 amended scheduling order that sets forth the remaining discovery dates, consistent with the  
23 extension provided under this Motion.  
24  
25  
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1  
2 RESPECTFULLY SUBMITTED,

3  
4 DATED: June 1, 2017

s/William C. Smart

s/Isaac Ruiz

s/ Kathryn M. Knudsen

William C. Smart, WSBA #8192

Isaac Ruiz, WSBA #35237

Kathryn M. Knudsen, WSBA #41075

s/ Jeffrey I. Tilden

s/ Mark A. Wilner

Jeffrey I. Tilden, WSBA #12219

Mark A. Wilner, WSBA #31550

Attorneys for Plaintiffs

10 DATED: June 1, 2017

s/Rory W. Leid, III

s/Timothy T. Parker

Rory W. Leid, III, WSBA #25075

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Attorneys for Defendant

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**ORDER**

For the reasons stated above, the Court grants the parties' stipulated motion to stay or continue deadlines. The deadline to complete fact discovery is extended until 120 days following entry of the Court's orders on both American Family's motion for protective order, Dkt. 32, and Plaintiffs motion for interlocutory appeal, Dkt. 62. Once the new date for class certification fact discovery is known, the parties will submit for the Court's approval an amended scheduling order that sets forth the remaining discovery dates, consistent with the extension granted herein.

IT IS SO ORDERED this 1<sup>st</sup> day of June, 2017.



BENJAMIN H. SETTLE  
United States District Judge